STATE OF CONNECTICUT • COUNTY OF TOLLAND INCORPORATED 1786



TOWN OF ELLINGTON

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DENNIS W. FRAWLEY Deputy First Selectman

PETER J. CHARTER MARK D. LEIGHTON A. LEO MILLER, JR. MICHAEL P. STUPINSKI NANCY O. WAY

SPECIAL MEETING BOARD OF SELECTMEN August 16, 2005 Meeting Hall – Town Hall

MINUTES

SELECTMEN PRESENT:

Peter Charter, Dennis Frawley, Mark Leighton, Dennis

Milanovich, Michael Stupinski and Nancy Way

SELECTMEN ABSENT:

A. Leo Miller

OTHERS PRESENT:

Planimetrics, LLC: B. Hoben; ZEO: R. Phillips; Land Use Asst.: R. Goodreau; P&Z members: E. Zahner, Chair, C. Aucter;

G. Kupecky and L. Spielman; BOF member: M Joyse; I/W members: K. Braga, Chair and M. Wheeler; Town Atty.: S. Boyan; Resident: J. Burns; JI Reporter: M. Simpson and Hartford Courant Reporter: R. Labossiere

I. CALL TO ORDER:

First Selectman Milanovich called the Special Meeting of the Board of Selectmen (BOS) to order at 7:35 p.m.

II. REPORT FROM BRUCE HOBEN OF PLANIMETRICS re: Planning Department:

Mr. Milanovich stated that Mr. Hoben of Planimetrics examined the Planning Department procedures and provided an analysis of how the Town can improve on the current system.

Mr. Milanovich introduced Mr. Hoben of Planimetrics. Mr. Hoben addressed the BOS.

Mr. Hoben summarized his findings. A copy of his analysis report is attached.

Questions related to:

Towns Used

Mr. Stupinski asked what comparative towns were used for the analysis. Mr. Hoben stated there were five towns used for comparison: S. Windsor, E. Windsor, Canton, Avon and Farmington. All of these towns are experiencing significant growth, similar to Ellington.

Staffing

Mr. Frawley asked about the other towns' staffing. Mr. Hoben stated four out five towns had the same number of personnel with a different level of training.

Mr. Stupinski and Mr. Milanovich said hiring full-time staff for engineering services is debatable and did not necessary agree with this recommendation.

Implementation

Mr. Zahner was in favor of moving forward with some of the essential recommendations as soon as possible and asked if Mr. Hoben would continue to assist the Town with implementation. Mr. Hoben stated he did create distributed an implementation schedule.

Mr. Milanovich said he has engaged the services of Mr. Hoben to prepare motions for necessary boards in order to expedite implementing recommended changes.

Mr. Milanovich asked for a motion to accept Mr. Hoben's report.

MOVED (FRAWLEY), SECONDED (LEIGHTON) TO ACCEPT PLANIMETRICS' REPORT AND FORWARD TO LAND USE BOARDS FOR REVIEW AND IMPLEMENTATION.

Mr. Stupinski asked if the BOS was going to receive a final report in narrative form. Mr. Leighton agreed that the BOS should have a written report, however, it will delay implementation. Mr. Hoben stated a final narrative report will be provided with more details.

MOVED (MILANOVICHO, SECONDED (LEIGHTON) AND PASSED (CHARTER, FRAWLEY, LEIGHTON, MILANOVICH AND WAY VOTED – AYE) TO AMEND ABOVE MOTION AS FOLLOWS: TO ACCEPT SUMMARY ANALYSIS REPORT FROM PLANIMETRICS AND BEGIN ACTING ON IT THE PENDING RECEIPT OF THE FINAL REPORT. (STUPINSKI – ABSTAINED)

III. ADJOURNMENT

MOVED (FRAWLEY), SECONDED (STUPINSKI) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO ADJOURN THE MEETING OF THE BOARD OF SELECTMEN AT 9:15 P.M.

Submitted by

Carol York

Approved by Venn

Dennis C. Milanovio

Planning Department Analysis

August 10, 2005



The Town is concerned with the backlog and processing time for planning and zoning permit applications.

Planimetrics was asked to:

Review current Planning Department procedures and recommend appropriate changes to reduce backlog of pending applications.

Review organization of Planning Department and recommend restructuring as appropriate.

Review current fee schedules for land use applications and recommend updated fees as appropriate.

Planimetrics interviewed stakeholders and analyzed relevant documents.

Stakeholder Interviews:

- Applicants/Developers (4)
- Commissions PZC Chairman
- Staff Assistant to the Planner, Administrative Secretary,
 Zoning Enforcement Officer, Building Inspector
- Engineering Consultant
- 1st Selectman
- Benchmark Towns (5)

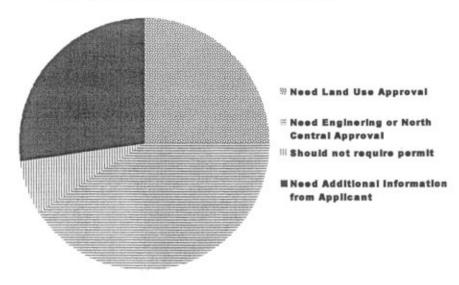
■Documents Analyzed:

- ◆PZC Agendas 1 year's worth
- Minutes of PZC meetings sampling
- Backlog of pending zoning permit applications
- Application forms zoning and planning

Although zoning permit processing can be improved, the backlog is not as serious a problem, in terms of volume, as was thought.

- Of the 44 applications in the backlog as of 7/23/05
 - 18 need engineering or North Central signoff
 - 12 need additional information from the applicant
 - 11 need land use commission approval, e.g., PZC, IWC, ZBA
 - 3 would not require zoning permit depending upon interpretation of regulations.
- The review process has become more efficient as the ZEO has become more experienced with Ellington regulations and procedures. Initially, process took 3 weeks, currently is 1 week.

Pending Zoning Permit Applications



Zoning permits have been delayed because of the volume of applications, complex procedures and lack of experience/training.

Regulations are difficult to interpret and sometimes contradictory.

New procedures were recently implemented that required much more elaborate review, i.e., more uses are covered.

The ZEO is the only official authorized to issue zoning permits.

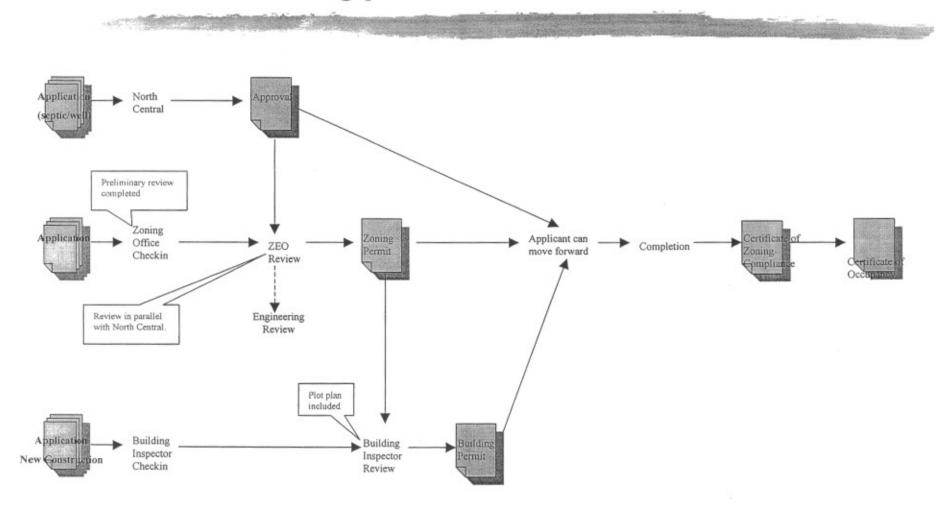
The person checking in the application does not necessarily review it for missing information and/or required approvals.

An application can go to North Central, Zoning and the Building Inspector simultaneously or in sequence. In the majority of cases, issuance of the zoning permit must await approval by NCHD.

Sign-offs from the consulting engineer and the North Central Health District are required prior to issuance of many zoning permits.

Part-time ZEO was unable to handle the volume of permit applications

The process flow can be improved to expedite issuance of zoning permits.



Changes to the process can expedite issuance of permits.

Process Recommendations

- Simplify the review process by tailoring it to the needs of the application, e.g., those needing engineering and/or North Central, versus those that need neither.
- Designate a "gatekeeper" to direct applications through the appropriate path.
- Improve the checkin process by having additional personnel trained to access the GIS data base so that the applicant will know immediately if IWC approval is required
- Improve the checkin process by having a simple zoning chart available for a preliminary review of basic zoning standards, e.g., yard area, height, uses
- Re-design application form to require data on zoning standards and wetland checkoff box.
- Set expectations at time of application receipt so that applicant understands the time frame (3 weeks for North Central) and that any changes could cause delay.
- ◆There could be a preliminary review within an agreed upon number of days of receipt in parallel with North Central. This could expedite issuance of the zoning permit once North Central signs off.
- Define procedures for referring zoning permits for engineering review.

Changes to the staffing would improve permit processing.

Staff Recommendations

- Have more expertise at the counter. Take advantage of training programs available from the Connecticut Association of Zoning Enforcement Officials.
- Deputize additional office staff to enable approval of specific classes of zoning permits:

Accessory Structures

Single family home with public water and sewer

Minor home additions that obviously meet zoning standards

- Have the Building Inspector do the Certificate of Zoning Compliance while doing the Certificate of Occupancy.
- Consider new position of part-time ZEO if volume of zoning permits continues.

Changes to the regulations, including scope of uses requiring a zoning permit, would improve permit processing.

- Eliminate the requirement for zoning permits for certain classes of use/change
 - Temporary structures
 - Propane gas
 - Interior building change such as finishing basement area
 - Home Occupations
- Resolve conflicting requirements in the zoning regulations through a "Policy Memorandum"
- ■Update the zoning regulations to make them easier to understand.

Although the PZC is meeting legal deadlines, the time frame for application processing is not meeting expectations of commissions, applicants or staff.

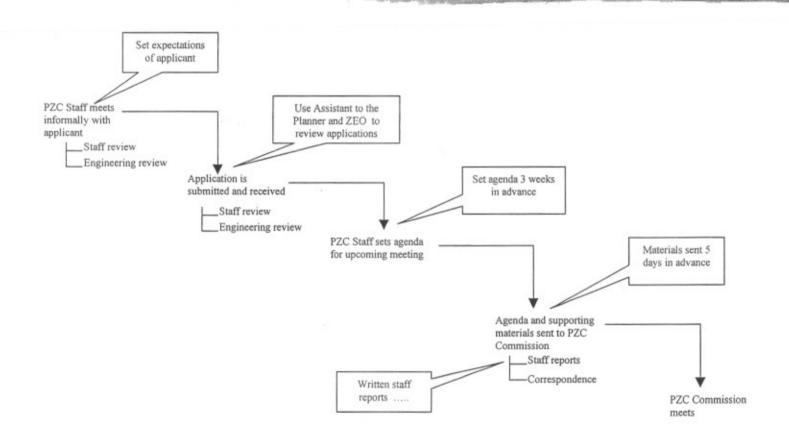
Sources of delay

- Incomplete applications crowd the agenda and cannot be acted upon.
- Late responses to initial engineering reports and follow-up engineering reviews cause applications to be carried over to the next meeting if the report requires changes to plans.
- The commission has a difficult time getting the required quorum of members who have attended all meetings covering a particular application.
- Agendas are so long that the commission can't act on everything and therefore end up carrying items over for another month.
- Antiquated regulations require excessive number of applications to the PZC.

The goal of acting on all applications in a timely manner with thorough review can be met with changes to procedures.

- Set expectations of the applicant at the time of application by providing elapsed time estimates for steps of the procedure.
- ■Provide an instructional brochure with submittal requirements to reduce incomplete applications.
- Set up internal tracking/quality control to monitor for problems and capture data for historical analysis.
- In Itilize the 65 day period for opening a public hearing to produce a thorough staff review and up-dated, revised plans.
- **Use conditions of approval to expedite acting on applications. Rely upon staff to pre-draft necessary conditions.
- Revise application forms to delete reference to requirement for submission 30 days prior to posted meeting. (This implies application will be on agenda automatically)
- Hold special meetings until the backlog of agenda items has been cleared.

Better management of the PZC agenda and process flow would make the process more effective.



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Managing the Agenda

- ◆Staff should review the submittal and determine the date of the public hearing based upon probable review time required. In no case should an application be placed on an agenda unless it is received at least 3 weeks prior to the scheduled meeting.
- Incomplete applications should not be allowed on the agenda until complete or until legal deadline (65 Days) approaches. Incomplete applications should be denied, if necessary.
- Correspondence materials should be submitted to the Planning Office 5 days before the meeting (1 day now).
- The Assistant to the Planner and the ZEO should be used for plan reviews.
- Written staff reports should be provided in advance with the agenda.
- The agenda should be managed, e.g., limit the time dedicated to public hearing for any given meeting, use special meetings for controversial public hearings.

Job descriptions should be revised to reflect the need for additional technical and managerial skills.

- Planner's position should include emphasis on management skills.
- IPlanning Secretary's duties, as well as Building Inspector Secretary's duties, should include review of permit applications for completeness and ability to issue limited classes of zoning permits.
- Assistant to the Planner responsibilities should include plan reviews and issuance of limited classes of zoning permits.
- IZEO position should include plan review duties.

The need for an "in-house" engineer needs to be explored.

- The inability to have timely engineering reviews is a major contributing factor to delayed PZC applications.
- Proposed improvements in application process may resolve this delay.
- IGiven Ellington's growth stage, it is probably appropriate to consider making the transition to a full-time, in-house engineer.

Generating Additional User Fees

- Memo of 9/13/04 by Matt Davis suggested a range of increase that would result in potential revenues of \$84,000, an increase of \$63,500 over current fees.
- Additional fees in the range of approximately \$200,000 would be needed to provide for a self-sustaining Planning Department operation. This translates to fees 300% higher than those recommended. This would put the majority of permit fees well beyond the norm.
- Consulting engineer fees could be based upon the approach used by Ellington WPCA. The engineer estimates the total fees for review and the applicant prepays same. Fees are refunded or replenished as necessary.